



General Assembly

***Substitute Bill No. 6570***

*January Session, 2005*

\* \_\_\_\_\_HB06570PD\_\_\_\_\_031505\_\_\_\_\_\*

***AN ACT CONCERNING PLANS OF CONSERVATION AND DEVELOPMENT.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Section 8-23 of the general statutes is repealed and the  
2       following is substituted in lieu thereof (*Effective July 1, 2005*):

3       (a) (1) At least once every ten years, the commission shall prepare or  
4       amend and shall adopt a plan of conservation and development for the  
5       municipality. Following adoption, the commission shall regularly  
6       review and maintain such plan. The commission may adopt such  
7       geographical, functional or other amendments to the plan or parts of  
8       the plan, in accordance with the provisions of this section, as it deems  
9       necessary. The commission may, at any time, prepare, amend and  
10      adopt plans for the redevelopment and improvement of districts or  
11      neighborhoods which, in its judgment, contain special problems or  
12      opportunities or show a trend toward lower land values.

13      (2) If a plan is not amended decennially, the chief elected official of  
14      the municipality shall submit a letter to the Secretary of the Office of  
15      Policy and Management and the Commissioners of Transportation,  
16      Environmental Protection and Economic and Community  
17      Development that explains why such plan was not amended. Until the  
18      plan is amended in accordance with this subsection, a copy of such  
19      letter shall be included in each application by the municipality for

20 funding for the conservation or development of real property  
21 submitted to said secretary or commissioners.

22 (b) In the preparation of such plan, the commission may appoint  
23 one or more special committees to develop and make  
24 recommendations for the plan. The membership of any special  
25 committee may include: Residents of the municipality and  
26 representatives of local boards dealing with zoning, inland wetlands,  
27 conservation, recreation, education, public works, finance,  
28 redevelopment, general government and other municipal functions. In  
29 performing its duties under this section, the commission or any special  
30 committee may accept information from any source or solicit input  
31 from any organization or individual. The commission or any special  
32 committee may hold public informational meetings or organize other  
33 activities to inform residents about the process of preparing the plan.

34 (c) In preparing such plan, the commission or any special committee  
35 shall consider the following: (1) The community development action  
36 plan of the municipality, if any, (2) the need for affordable housing, (3)  
37 the need for protection of existing and potential public surface and  
38 ground drinking water supplies, (4) the use of cluster development  
39 and other development patterns to the extent consistent with soil  
40 types, terrain and infrastructure capacity within the municipality, (5)  
41 the state plan of conservation and development adopted pursuant to  
42 chapter 297, (6) the regional plan of development adopted pursuant to  
43 section 8-35a, as amended by this act, (7) physical, social, economic  
44 and governmental conditions and trends, (8) the needs of the  
45 municipality including, but not limited to, human resources,  
46 education, health, housing, recreation, social services, public utilities,  
47 public protection, transportation and circulation and cultural and  
48 interpersonal communications, [and] (9) the objectives of energy-  
49 efficient patterns of development, the use of solar and other renewable  
50 forms of energy and energy conservation, and (10) protection and  
51 preservation of agriculture.

52 (d) (1) Such plan of conservation and development shall (A) be a

53 statement of policies, goals and standards for the physical and  
54 economic development of the municipality, (B) provide for a system of  
55 principal thoroughfares, parkways, bridges, streets, sidewalks,  
56 multipurpose trails and other public ways as appropriate, (C) be  
57 designed to promote, with the greatest efficiency and economy, the  
58 coordinated development of the municipality and the general welfare  
59 and prosperity of its people and identify areas where it is feasible and  
60 prudent (i) to have compact, transit accessible, pedestrian-oriented  
61 mixed use development patterns and land reuse, and (ii) to promote  
62 such development patterns land and reuse, [(C)] (D) recommend the  
63 most desirable use of land within the municipality for residential,  
64 recreational, commercial, industrial, conservation and other purposes  
65 and include a map showing such proposed land uses, [(D)] (E)  
66 recommend the most desirable density of population in the several  
67 parts of the municipality, [(E)] (F) note any inconsistencies [it may  
68 have with the state plan of conservation and development adopted  
69 pursuant to chapter 297, (F)] with the following growth management  
70 principles: (i) Redevelopment and revitalization of commercial centers  
71 and areas of mixed land uses with existing or planned physical  
72 infrastructure; (ii) expansion of housing opportunities and design  
73 choices to accommodate a variety of household types and needs; (iii)  
74 concentration of development around transportation nodes and along  
75 major transportation corridors to support the viability of  
76 transportation options and land reuse; (iv) conservation and  
77 restoration of the natural environment, cultural and historical  
78 resources and existing farmlands; (v) protection of environmental  
79 assets critical to public health and safety; and (vi) integration of  
80 planning across all levels of government to address issues on a local,  
81 regional and state-wide basis, (G) make provision for the development  
82 of housing opportunities, including opportunities for multifamily  
83  dwellings, consistent with soil types, terrain and infrastructure  
84 capacity, for all residents of the municipality and the planning region  
85 in which the municipality is located, as designated by the Secretary of  
86 the Office of Policy and Management under section 16a-4a, [(G)] (H)  
87 promote housing choice and economic diversity in housing, including

88 housing for both low and moderate income households, and  
89 encourage the development of housing which will meet the housing  
90 needs identified in the housing plan prepared pursuant to section 8-37t  
91 and in the housing component and the other components of the state  
92 plan of conservation and development prepared pursuant to chapter  
93 297. In preparing such plan the commission shall consider focusing  
94 development and revitalization in areas with existing or planned  
95 physical infrastructure.

96 (2) For any municipality that is contiguous to Long Island Sound,  
97 such plan shall be (A) consistent with the municipal coastal program  
98 requirements of sections 22a-101 to 22a-104, inclusive, (B) made with  
99 reasonable consideration for restoration and protection of the  
100 ecosystem and habitat of Long Island Sound, and (C) designed to  
101 reduce hypoxia, pathogens, toxic contaminants and floatable debris in  
102 Long Island Sound.

103 (e) Such plan may show the commission's and any special  
104 committee's recommendation for (1) conservation and preservation of  
105 traprock and other ridgelines, (2) [a system of principal thoroughfares,  
106 parkways, bridges, streets and other public ways, (3)] airports, parks,  
107 playgrounds and other public grounds, [(4)] (3) the general location,  
108 relocation and improvement of schools and other public buildings,  
109 [(5)] (4) the general location and extent of public utilities and terminals,  
110 whether publicly or privately owned, for water, sewerage, light,  
111 power, transit and other purposes, [(6)] (5) the extent and location of  
112 public housing projects, [(7)] (6) programs for the implementation of  
113 the plan, including (A) a schedule, (B) a budget for public capital  
114 projects, (C) a program for enactment and enforcement of zoning and  
115 subdivision controls, building and housing codes and safety  
116 regulations, (D) plans for implementation of affordable housing, [and]  
117 (E) plans for open space acquisition and greenways protection and  
118 development, and (F) plans for corridor management areas along  
119 limited access highways or rail lines, designated under section 16a-27,  
120 as amended by this act, (7) proposed priority funding areas, and (8)  
121 any other recommendations as will, in the commission's or any special

122 committee's judgment, be beneficial to the municipality. The plan may  
123 include any necessary and related maps, explanatory material,  
124 photographs, charts or other pertinent data and information relative to  
125 the past, present and future trends of the municipality.

126 (f) A plan of conservation and development or any part thereof or  
127 amendment thereto prepared by the commission or any special  
128 committee shall be reviewed, and may be amended, by the  
129 commission prior to scheduling at least one public hearing on  
130 adoption. [At least sixty-five days prior to the public hearing on  
131 adoption, the commission shall submit a copy of such plan or part  
132 thereof or amendment thereto for review and comment to the  
133 legislative body. Such body may hold one or more hearings on the  
134 proposed plan and shall submit any comments to the commission  
135 prior to the public hearing on adoption. The failure of such body to  
136 report prior to or at the public hearing shall be taken as approval of the  
137 plan.] At least [sixty-five] thirty-five days prior to the public hearing  
138 on adoption, the commission shall post the draft plan on the Internet  
139 web site of the municipality, if any, and submit a copy of such draft  
140 plan to the regional planning agency for review and comment. The  
141 regional planning agency shall [report] submit an advisory report  
142 along with its comments to the commission at or before the hearing.  
143 [The failure of the regional planning agency to report at or before the  
144 hearing shall be taken as approval of the plan. The report of the  
145 regional planning agency shall be advisory.] Such comments shall  
146 include a finding on the consistency of the draft plan with (1) the  
147 regional plan of development, adopted under section 8-35a, as  
148 amended by this act, (2) the state plan of conservation and  
149 development, adopted pursuant to chapter 297, and (3) the plans of  
150 conservation and development of other municipalities in the area of  
151 operation of the regional planning agency. The commission may revise  
152 the draft plan in accordance with the report of the regional planning  
153 agency. The commission may render a decision on the plan without  
154 the report of the regional planning agency. Prior to the public hearing  
155 on adoption, the commission shall file in the office of the town clerk a

156 copy of such draft plan or part thereof or amendment thereto but, in  
157 the case of a district commission, such commission shall file such  
158 information in the offices of both the district clerk and the town clerk.  
159 The commission shall cause to be published in a newspaper having a  
160 general circulation in the municipality, at least twice at intervals of not  
161 less than two days, the first not more than fifteen days, or less than ten  
162 days, and the last not less than two days prior to the date of each such  
163 hearing, notice of the time and place of any such public hearing. Such  
164 notice shall make reference to the filing of such draft plan in the office  
165 of the town clerk, or both the district clerk and the town clerk, as the  
166 case may be. After completion of the public hearing, the commission  
167 may revise the draft plan. The proposed final plan shall be submitted  
168 to the legislative body for its endorsement. The legislative body shall  
169 endorse or reject the entire proposed final plan or parts thereof and  
170 may submit comments and recommended changes to the commission.  
171 In the case of a municipality in which the legislative body is a town  
172 meeting, the proposed final plan shall be submitted to the board of  
173 selectmen. The board may conduct a public hearing on such plan. Not  
174 more than forty-five days after receipt of the plan by the board of  
175 selectmen, the entire proposed final plan or parts thereof may be  
176 endorsed or rejected at a town meeting and such town meeting may  
177 submit comments and recommended changes to the commission.

178 (g) The commission may adopt the plan or any part thereof or  
179 amendment thereto by a single resolution or may, by successive  
180 resolutions, adopt parts of the plan and amendments thereto. Any  
181 plan, section of a plan or recommendation in the plan, not endorsed by  
182 the legislative body of the municipality may be adopted by the  
183 commission by a vote of not less than two-thirds of all the members of  
184 the commission. Upon adoption by the commission, any plan or part  
185 thereof or amendment thereto shall become effective at a time  
186 established by the commission, provided notice thereof shall be  
187 published in a newspaper having a general circulation in the  
188 municipality prior to such effective date. Any plan or part thereof or  
189 amendment thereto shall be posted on the Internet web site of the

190 municipality, if any, and shall be filed in the office of the town clerk,  
191 except that, if it is a district plan or amendment, it shall be filed in the  
192 offices of both the district and town clerks. The commission shall  
193 notify the Secretary of the Office of Policy and Management of any  
194 inconsistency between the plan adopted by the commission and the  
195 state plan of conservation and development and the reasons therefor.

196 [(h) Following adoption of a new plan by the commission, the  
197 legislative body of any municipality may hold one or more hearings on  
198 the proposed plan and, by resolution, may endorse the plan for the  
199 municipality.]

200 (h) Any owner or tenant, or authorized agent of such owner or  
201 tenant, of real property or buildings thereon located in the  
202 municipality may submit a proposal to the commission requesting a  
203 change to the plan of conservation and development. Such proposal  
204 shall be submitted in writing and on a form prescribed by the  
205 commission. Notwithstanding the provisions of subsection (a) of  
206 section 8-7d, the commission shall determine if a public hearing shall  
207 be held on the proposal not less than thirty-five days after submission  
208 of such proposal. The commission shall hold a public hearing on such  
209 proposal if it determines that such hearing is in the public interest.  
210 Except as provided in this section, any public hearing and decision  
211 shall be in accordance with the periods of time permitted under section  
212 8-7d. The commission shall approve, deny or modify the proposal.  
213 Notwithstanding the provisions of this section, if the commission  
214 determines, at any time after the proposal is received, that such  
215 proposal would require changes to the plan of conservation and  
216 development that would be a significant change to the policies and  
217 goals of the plan of conservation and development, the commission  
218 shall consider the proposal in accordance with the provisions of  
219 subsection (f) of this section.

220 Sec. 2. Section 8-35a of the general statutes is repealed and the  
221 following is substituted in lieu thereof (*Effective July 1, 2005*):

222       (a) [Each] At least once every ten years, each regional planning  
223 agency shall make a plan of development for its area of operation,  
224 showing its recommendations for the general use of the area including  
225 land use, housing, principal highways and freeways, bridges, airports,  
226 parks, playgrounds, recreational areas, schools, public institutions,  
227 public utilities, agriculture and such other matters as, in the opinion of  
228 the agency, will be beneficial to the area. Any regional plan so  
229 developed shall be based on studies of physical, social, economic and  
230 governmental conditions and trends and shall be designed to promote  
231 with the greatest efficiency and economy the coordinated development  
232 of its area of operation and the general welfare and prosperity of its  
233 people. Such plan may encourage energy-efficient patterns of  
234 development, the use of solar and other renewable forms of energy,  
235 and energy conservation. Such plan shall be designed to promote  
236 abatement of the pollution of the waters and air of the region. The  
237 regional plan shall identify areas where it is feasible and prudent (1) to  
238 have compact, transit accessible, pedestrian-oriented mixed use  
239 development patterns and land reuse, and (2) to promote such  
240 development patterns and land reuse and shall note any  
241 inconsistencies with the following growth management principles: (A)  
242 Redevelopment and revitalization of regional centers and areas of  
243 mixed land uses with existing or planned physical infrastructure; (B)  
244 expansion of housing opportunities and design choices to  
245 accommodate a variety of household types and needs; (C)  
246 concentration of development around transportation nodes and along  
247 major transportation corridors to support the viability of  
248 transportation options and land reuse; (D) conservation and  
249 restoration of the natural environment, cultural and historical  
250 resources and traditional rural lands; (E) protection of environmental  
251 assets critical to public health and safety; and (F) integration of  
252 planning across all levels of government to address issues on a local,  
253 regional and state-wide basis. The plan of each region contiguous to  
254 Long Island Sound shall be designed to reduce hypoxia, pathogens,  
255 toxic contaminants and floatable debris in Long Island Sound.



256       (b) Before adopting the regional plan of development or any part  
257 thereof or amendment thereto the agency shall hold at least one public  
258 hearing thereon, notice of the time, place and subject of which shall be  
259 given in writing to the chief executive officer and planning  
260 commission, where one exists, of each member town, city or borough,  
261 [ and to the Secretary of the Office of Policy and Management, or his  
262 designee.] Notice of the time, place and subject of such hearing shall be  
263 published once in a newspaper having a substantial circulation in the  
264 region. At least sixty-five days before the public hearing the regional  
265 planning agency shall post the plan on the Internet web site of the  
266 agency, if any, and submit the plan to the Secretary of the Office of  
267 Policy and Management for findings in the form of comments and  
268 recommendations. Such findings shall include a review of the plan to  
269 determine if the proposed regional plan of development is not  
270 inconsistent with the state plan of conservation and development. Such  
271 notices shall be given not more than twenty days nor less than ten days  
272 before such hearing. The regional planning agency shall note on the  
273 record any inconsistency with the state plan of conservation and  
274 development and the reasons for such inconsistency. Adoption of the  
275 plan or part thereof or amendment thereto shall be made by the  
276 affirmative vote of not less than a majority of the representatives on  
277 the agency. [A] The plan shall be posted on the Internet web site of the  
278 agency, if any, and a copy of the plan or of any amendments thereto,  
279 signed by the chairman of the agency, shall be transmitted to the chief  
280 executive officers, the town, city or borough clerks, as the case may be,  
281 and to planning commissions, if any, in member towns, cities or  
282 boroughs, and to the Secretary of the Office of Policy and  
283 Management, or his designee. The regional planning agency shall  
284 notify the Secretary of the Office of Policy and Management of any  
285 inconsistency with the state plan of conservation and development and  
286 the reasons therefor.

287       (c) The regional planning agency shall revise the plan of  
288 development not more than three years after the effective date of this  
289 section.

290     (d) The regional planning agency shall assist municipalities within  
291 its region and state agencies and may assist other public and private  
292 agencies in developing and carrying out any regional plan or plans of  
293 such regional planning agency. The regional planning agency may  
294 provide administrative, management, technical or planning assistance  
295 to municipalities within its region and other public agencies under  
296 such terms as it may determine, provided, prior to entering into an  
297 agreement for assistance to any municipality or other public agency,  
298 the regional planning agency shall have adopted a policy governing  
299 such assistance. The regional planning agency may be compensated by  
300 the municipality or other public agency with which an agreement for  
301 assistance has been made for all or part of the cost of such assistance.

302     Sec. 3. Section 16a-27 of the general statutes is repealed and the  
303 following is substituted in lieu thereof (*Effective July 1, 2005*):

304     (a) The secretary, after consultation with all appropriate state,  
305 regional and local agencies and other appropriate persons shall prior  
306 to March 1, 2003, complete a revision of the existing plan and enlarge it  
307 to include, but not be limited to, policies relating to transportation,  
308 energy and air. Any revision made after May 15, 1991, shall identify  
309 the major transportation proposals, including proposals for mass  
310 transit, contained in the master transportation plan prepared pursuant  
311 to section 13b-15. Any revision made after July 1, 1995, shall take into  
312 consideration the conservation and development of greenways that  
313 have been designated by municipalities and shall recommend that  
314 state agencies coordinate their efforts to support the development of a  
315 state-wide greenways system. The Commissioner of Environmental  
316 Protection shall identify state-owned land for inclusion in the plan as  
317 potential components of a state greenways system.

318     (b) Any revision made after August 20, 2003, shall take into account  
319 (1) economic and community development needs and patterns of  
320 commerce, and (2) linkages of affordable housing objectives and land  
321 use objectives with transportation systems.

322 (c) Any revision made after March 1, 2006, shall (1) take into  
323 consideration risks associated with natural hazards, including, but not  
324 limited to, flooding, high winds and wildfires; (2) identify the potential  
325 impacts of natural hazards on infrastructure and property; and (3)  
326 make recommendations for the siting of future infrastructure and  
327 property development to minimize the use of areas prone to natural  
328 hazards, including, but not limited to, flooding, high winds and  
329 wildfires.

330 (d) Any revision after July 1, 2005, shall describe the progress  
331 towards achievement of the goals and objectives established in the  
332 previously adopted state plan of conservation and development and  
333 shall identify (1) areas where it is prudent and feasible (A) to have  
334 compact, transit accessible, pedestrian-oriented mixed-use  
335 development patterns and land reuse, and (B) to promote such  
336 development patterns and land reuse, (2) priority funding areas  
337 designated under section 5 of this act, and (3) corridor management  
338 areas on either side of a limited access highway or a rail line. In  
339 designating corridor management areas, the secretary shall make  
340 recommendations that (A) promote land use and transportation  
341 options to reduce the growth of traffic congestion; (B) connect  
342 infrastructure and other development decisions; (C) promote  
343 development that minimizes the cost of new infrastructure facilities  
344 and maximizes the use of existing infrastructure facilities; and (D)  
345 increase intermunicipal and regional cooperation.

346 ~~[(d)]~~ (e) Thereafter on or before March first in each revision year the  
347 secretary shall complete a revision of the plan of conservation and  
348 development.

349 Sec. 4. Section 16a-28 of the general statutes is repealed and the  
350 following is substituted in lieu thereof (*Effective July 1, 2005*):

351 (a) The secretary shall present a draft of the revised plan of  
352 conservation and development for preliminary review to the  
353 continuing legislative committee on state planning and development

354 prior to September first in 2002 and prior to September first in each  
355 prerevision year thereafter.

356 (b) After December first in 1985 and after December first in each  
357 prerevision year thereafter the secretary shall proceed with such  
358 further revisions of the draft of the revised plan of conservation and  
359 development as he deems appropriate. The secretary shall, by  
360 whatever means he deems advisable, publish said plan and  
361 disseminate it to the public on or before March first in revision years.  
362 The secretary shall post the plan on the Internet web site of the state.

363 (c) Within five months of publication of said revised plan the  
364 secretary shall hold public hearings, in cooperation with regional  
365 planning agencies, to solicit comments on said plan.

366 Sec. 5. (NEW) (*Effective July 1, 2005*) (a) As used in this section and  
367 sections 6 to 9, inclusive:

368 (1) "Funding" includes any form of assurance, guarantee, grant  
369 payment, credit, tax credit or other assistance, including a loan, loan  
370 guarantee, or reduction in the principal obligation of or rate of interest  
371 payable on a loan or a portion of a loan;

372 (2) "Growth-related project" means any project which includes (A)  
373 the acquisition of real property when the acquisition costs are in excess  
374 of one hundred thousand dollars, except the acquisition of open space  
375 for the purposes of conservation or preservation; (B) the development  
376 or improvement of real property when the development costs are in  
377 excess of one hundred thousand dollars; (C) the acquisition of public  
378 transportation equipment or facilities when the acquisition costs are in  
379 excess of one hundred thousand dollars; or (D) the authorization of  
380 each state grant, any application for which is not pending on July 1,  
381 2006, for an amount in excess of one hundred thousand dollars, for the  
382 acquisition or development or improvement of real property or for the  
383 acquisition of public transportation equipment or facilities, except the  
384 following: (i) Projects for maintenance, repair, additions or renovations  
385 to existing facilities, acquisition of land for telecommunications towers

386 whose primary purpose is public safety, parks, conservation and open  
387 space, and acquisition of agricultural, conservation and historic  
388 easements; (ii) funding by the Department of Economic and  
389 Community Development for any project financed with federal funds  
390 used to purchase or rehabilitate existing single or multi-family housing  
391 or projects financed with the proceeds of revenue bonds if the  
392 Commissioner of Economic and Community Development determines  
393 that application of this section and sections 6 and 7 of this act (I)  
394 conflicts with any provision of federal or state law applicable to the  
395 issuance or tax-exempt status of the bonds or any provision of any  
396 trust agreement between the Department of Economic and  
397 Community Development and any trustee, or (II) would otherwise  
398 prohibit financing of an existing project or financing provided to cure  
399 or prevent any default under existing financing; (iii) projects that the  
400 Commissioner of Economic and Community Development determines  
401 promote fair housing choice and racial and economic integration as  
402 described in section 8-37cc of the general statutes; (iv) projects at an  
403 existing facility needed to comply with state environmental or health;  
404 (v) school construction projects funded by the Department of  
405 Education under chapter 173 of the general statute; and (vi) any other  
406 project, funding or other state assistance not included under  
407 subparagraphs (A) to (D), inclusive, of this subdivision.

408 (3) "Priority funding area" means the area of the state designated  
409 under subsection (b) of this section.

410 (b) The Secretary of the Office of Policy and Management, in  
411 consultation with the Commissioners of Economic and Community  
412 Development, Environmental Protection, Public Works, Agriculture,  
413 Transportation and regional planning agencies shall develop  
414 recommendations for delineation of the boundaries of priority funding  
415 areas in the state and for revisions thereafter. In making such  
416 recommendations the secretary shall consider areas designated as  
417 regional centers, growth areas, neighborhood conservation areas and  
418 rural community centers on the state plan of conservation and  
419 development, redevelopment areas, distressed municipalities, as

420 defined in section 32-9p of the general statutes; targeted investment  
421 communities, as defined in section 32-222 of the general statutes;  
422 public investment communities, as defined in section 7-545 of the  
423 general statutes, enterprise zones, designated by the Commissioner of  
424 Economic and Community Development under section 32-70 of the  
425 general statutes and corridor management areas identified in the state  
426 plan of conservation and development. The secretary shall submit the  
427 recommendations to the Continuing Legislative Committee on State  
428 Planning and Development established pursuant to section 4-60d of  
429 the general statutes for review when the state plan of conservation and  
430 development is submitted to such committee in accordance with  
431 section 16a-29 of the general statutes. The committee shall report its  
432 recommendations to the General Assembly at the time said state plan  
433 is submitted to the General Assembly under section 16a-30 of the  
434 general statutes. The boundaries shall become effective upon approval  
435 of the General Assembly.

436       Sec. 6. (NEW) (*Effective July 1, 2005*) (a) On and after the approval of  
437 the General Assembly of the boundaries of priority funding areas  
438 under section 5 of this act, no state agency, department or institution  
439 shall provide funding for a growth-related project unless such project  
440 is located in a priority funding area.

441       (b) Notwithstanding the provisions of subsection (a) of this section,  
442 the head of a state department, agency or institution, with the approval  
443 of the Secretary of the Office of Policy and Management, may provide  
444 funding for a growth-related project that is not located in a priority  
445 funding area upon determination that such project is consistent with  
446 the plan of conservation and development, adopted under section 8-23  
447 of the general statutes, as amended by this act, of the municipality in  
448 which such project is located and that such project (1) enhances other  
449 activities targeted by state agencies, departments and institutions to a  
450 municipality within the priority funding area, (2) is located in a  
451 distressed municipality, as defined in section 32-9 of the general  
452 statutes, targeted investment community, as defined in section 32-222  
453 of the general statutes, or public investment community, as defined in

454 section 7-545 of the general statutes, (3) supports existing  
455 neighborhoods or communities, (4) promotes the use of mass transit,  
456 (5) provides for compact, transit accessible, pedestrian-oriented mixed  
457 use development patterns and land reuse and promotes such  
458 development patterns and land reuse, (6) creates an extreme inequity,  
459 hardship or disadvantage that clearly outweighs the benefits of  
460 locating the project in a priority funding area if such project were not  
461 funded, (7) has no reasonable alternative for the project in a priority  
462 funding area in another location, (8) must be located away from other  
463 developments due to its operation or physical characteristics, or (9) is  
464 for the reuse or redevelopment of an existing site.

465 (c) Not more than one year after the designation of priority funding  
466 areas, and annually thereafter, each department, agency or institution  
467 shall prepare a report that describes grants made under subsection (b)  
468 of this section and the reasons therefor.

469 Sec. 7. (*Effective July 1, 2005*) On and after the approval of the  
470 General Assembly of the boundaries of priority funding areas  
471 pursuant to section 5 of this act, each state agency, department or  
472 institution shall cooperate with municipalities to ensure that programs  
473 and activities in rural areas sustain village character.

474 Sec. 8. (NEW) (*Effective July 1, 2005*) On and after the approval of the  
475 General Assembly of the boundaries of priority funding areas under  
476 section 5 of this act, each state agency and department shall review  
477 regulations adopted in accordance with the provisions of chapter 54 of  
478 the general statutes and modify such regulations to carry out the  
479 purpose of coordinated management of growth-related projects in  
480 priority funding areas.

481 Sec. 9. (NEW) (*Effective July 1, 2005*) The Office of Policy and  
482 Management, within available appropriations, shall coordinate review  
483 of federal projects in relation to their location in priority funding areas  
484 to encourage location in urban areas pursuant to the provisions of  
485 Federal Executive Order 12072-Federal Space Management.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2005</i>	8-23
Sec. 2	<i>July 1, 2005</i>	8-35a
Sec. 3	<i>July 1, 2005</i>	16a-27
Sec. 4	<i>July 1, 2005</i>	16a-28
Sec. 5	<i>July 1, 2005</i>	New section
Sec. 6	<i>July 1, 2005</i>	New section
Sec. 7	<i>July 1, 2005</i>	New section
Sec. 8	<i>July 1, 2005</i>	New section
Sec. 9	<i>July 1, 2005</i>	New section

**PD**      *Joint Favorable Subst.*